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Missoula, Montana 59801

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October 1, 1975

The Honorable Thomas L. Judge
Governor of Montana
The State Capitol
Helena, Montana 59601

Dear Governor Judge:

On June 23, 1975 you requested that I conduct a survey of the nine areas in S.393. Earlier on June 12 and again on June 13, 1975, Senator Lee Metcalf on behalf of Senator Mansfield and himself requested a similar analysis.

Since early July a substantial portion of my time and resources has been devoted to your request.

My report, a Summary of Conclusions, is attached. We are releasing this report today to our Senators and to the people in the field who provided the essential assistance and support.

Sincerely,

Robert F. Wambach

Robert F. Wambach
Dean

RFW:krw

SUMMARY OF CONCLUSIONS
FOR GOVERNOR THOMAS L. JUDGE

THE POTENTIAL IMPACT OF THE
MONTANA WILDERNESS STUDY ACT OF 1975 S.393

by

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October 1, 1975

Background

The Montana Wilderness Study Act of 1975 (S.393) sponsored by Senators Metcalf and Mansfield, is a Bill that would provide for the study of certain lands in Montana to determine their suitability for classification as "Wilderness." The Bill identifies nine areas, totaling 971,000 acres; and the study period is specified as five years.

Wilderness associations and several other conservation groups support the Bill on the grounds that if the lands are not withdrawn for study there is a real chance that they will be roaded, logged, or otherwise developed; with a consequent loss of important wilderness and wildlife values. The timber industry and certain other segments of the business community oppose the Bill on the grounds that it would work an undue hardship on the timber sector of Montana's economy, especially in several small communities that are heavily dependent on timber enterprises. The U.S. Forest Service, which is the federal agency that manages most of the lands in question, opposes the Bill; arguing that the studies called for in the Bill can be effectively accomplished during their normal planning process. The Forest Service also is concerned about the precedent that would be set by this Bill, i.e., of having Congress directly involved in actions which the agency regards as managerial or operational in nature.

The opposing viewpoints were fully articulated at Hearings conducted in Washington, D.C. during May, 1975. Among the issues that were raised, but not settled, at these Hearings was the question of how much timber would actually be withdrawn from the market as a consequence of S.393. Governor Judge of Montana was also searching for the answer to that question. The Governor was being petitioned by both the wilderness advocates and the timber industry to take a stand on the Metcalf Bill.

In June, the Dean of the School of Forestry at the University of Montana was asked to undertake an independent study of the issue. Two separate requests were received, one from the Governor and one from the Senators. No money or other resources were provided, and the report was requested for mid-September. The study was formally initiated in early July, after a relatively brief period of planning and preparation.

The study was headed by Dean Robert F. Wambach, with the close collaboration and assistance of Professor Richard E. Shannon. Four other faculty members provided important technical assistance, and eight students from the Wilderness Institute did much of the objective field data collection.

The study consisted of four major parts:

- 1) Collecting and compiling all existing information about the

nine areas designated in S.393.

- 2) Intensive aerial reconnaissance (by airplane and helicopter) of all nine areas.
- 3) Extensive ground checking on foot, horseback, and by automobile; and consultations with knowledgeable local people.
- 4) Tree volume and growth measurements on sample plots in the field; followed by computerized analysis and summary.

The initial intent of the study was to evaluate the reduction in annual allowable cut that would result from the passage of S.393. That purpose remained the primary objective of the study, but it was quickly determined that this central question could not be properly addressed without giving due consideration to such other interrelated factors as boundary locations, other resources located on the area, established use patterns, economic projections, legal or institutional constraints, etc.

Thus, the study evolved into a much more comprehensive look at the areas than was originally contemplated, and the conclusions and recommendations listed below go far beyond the requests received from the Governor and the Senators. Therefore, it should be noted

that while the timber information presented below is truly objective and technically determined, some of the other judgements are more subjective. It was felt that these subjective judgements should be presented since they are based on extensive study and observation and long deliberation.

Conclusions and Recommendations

The study led to the following conclusions:

1. The passage of S.393 would not have any serious impact on timber supplies in Montana. In fact, the reduction in annual allowable cut would probably be much smaller than other groups have estimated (see below). However, some hardships and dislocations would certainly be suffered by a few small sawmills located in local communities near the Wilderness study areas. The final column in the following table presents our estimate of the reduction in annual allowable cut that could result from the passage of S.393.
2. The timber growing potential on most of the land designated in S.393 is very low. Some commercial timber does now exist in several of the areas, as a gift of nature; but it is old, small in size, generally of poor quality, and it occurs in small volumes per acre in remote areas where access is difficult. With present markets most of the

<u>Study Area</u>	Reduction in Annual Allowable Cut (mmbf) (estimated)			
	<u>USFS</u>	<u>Sierra Club</u>	<u>Forest Industry</u>	<u>School of Forestry</u>
West Pioneer	12.0	10.5	13.0	5.0
Taylor-Hilgard	1.0-3.0	5.7	?	1.0
Bluejoint	0.1-0.2	2.9	0	0
Elkhorn	1.5	4.2	?	1.5
Sapphire	3.7-5.0	4.2	5.0	2.4
Ten Lakes	3.2	2.9	?	3.0
Middle Fork of Judith	2.6	2.6	?	2.0
Big Snowies	2.6	2.7	2.6	1.0
Hyalite-Porcupine- Buffalo Horn	<u>3.6</u>	<u>3.4</u>	<u>?</u>	<u>2.5</u>
Total	30.3-33.7	39.1	34.1	18.4

timber is virtually nonmerchantable, unless the government elects to subsidize the timber industry by way of minimum stumpage prices or by building roads with appropriated money. If prices for wood products go up, it might be economically feasible to remove some of the timber, provided that the costs of roading, logging, and sale administration were kept to an absolute minimum. A small percentage of the area does have a higher site quality and as a result it now supports timber of better quality and greater value; but these sites generally occur in small patches or stringers in the creek bottoms, and this in no way alters the general observation that these lands do not have great potential for producing timber. If any of these lands are designated for timber production, they should be managed on an extensive basis, with

minimal investments, and with great care to protect the natural environment and non-timber resource values such as wildlife habitat and watershed quality.

3. The boundaries of the areas proposed for Wilderness study in S.393 were drawn in an unreasonable and indefensible way. This has the effect of seriously weakening the case for Wilderness study. Included in the areas proposed for Wilderness study are hundreds of acres of existing clearcuts, many miles of constructed roads, thousands of acres of private land, and dozens of cases of conflicting uses such as on-going timber sales, powerline rights-of-way, microwave installations, snowmobile trails, active mines, and so on. An objective observer is forced to question the motivation and judgement of the wilderness advocates who would press for such poorly conceived boundaries. It would appear to be a case where a good cause was hurt by over enthusiastic support.

4. With the exception of some specific areas that will be mentioned below, most of the land specified in S.393 does not have high potential for inclusion in the Wilderness System. This obviously is a matter of judgement, but it is a judgement based on a close examination of the proposed study areas and an examination of existing Wilderness in Montana and the Candidate Areas selected for wilderness study by the U.S. Forest Service through the R.A.R.E. process (i.e. Roadless

Area Review and Evaluation process). The reason for the low potential for Wilderness is different in each area, but it is usually some combination of low quality (relative to nearby or adjacent areas), serious intrusions (developed roads, past cutting, etc.), or a high proportion of private ownership. In some cases there is also a real danger that legal Wilderness classification would be detrimental to the land, by attracting more visitors, etc. To the extent that this judgement is valid, i.e., that these lands do not have high potential for Wilderness, it would follow that S.393 is an unnecessary and perhaps undesirable piece of legislation.

5. To summarize the conclusions cited above: In our considered opinion, much of the land specified in S.393 does not have the qualities that make it suitable for inclusion in the National Wilderness System, and very little of it would be classified as good timber growing land.

If these conclusions are valid, then what is the alternative? In our opinion, sensitive land use planning would probably lead to the conclusion that much of the land in question should remain undeveloped but it should not be managed as formal Wilderness but instead as unroaded back country. This would allow the land to be used primarily for such high purposes as dispersed recreation, wildlife habitat, watershed protection, and certain other non-conflicting uses such as cattle grazing and small reservoirs. It would allow the use of many

management practices that are not appropriate to classified Wilderness, such as sanitation facilities, prescribed burning, the use of helicopters and other mechanical devices. In our opinion much of the conflict between Wilderness advocates and other users of wildlands in the West are unnecessary and unproductive, and many of these conflicts are caused or exacerbated by the fact that we have imposed on ourselves an unnecessarily narrow range of choices. Under the present system, wildlands must either be classified as Wilderness (with a capital W), or they are not wilderness and they are, therefore, subject to any and all kinds of development. There is a real and obvious need for some intermediate category, and many of the areas specified in S.393 would ideally fit into this new category. The Forest Service seems to recognize this need and through their land planning process has already specified that much of this land should not be developed. However, the agency is suffering from a lack of credibility and many conservationists are reluctant to trust the Forest Service to retain management of the land in an undeveloped condition without classification. Therefore, we not only need a new back-country designation, but we need a device, that will hold the Forest Service to its commitments and thereby reassure conservationists. The Forest Service believes that the Environmental Policy Act provides such a device by requiring an environmental impact statement, with full public involvement, any

time they intend to make major changes in their land use decisions. This argument appears to have some merit; but perhaps additional reassurance is needed and could be provided by having the Forest Service include in its annual report to Congress (which is required by the Renewable Resources Planning Act) a listing of areas that have been declared "back-country." It would seem that a commitment made in such a way to the Congress would be regarded by the Agency as binding and permanent, and any alterations would have to be justified in the open and in advance of any action. The word "back-country" is used here simply to provide a label for the concept that we have in mind. Other labels carry the same connotation for other people, e.g., pioneer areas, primitive areas, roadless area, reserved from management development, or pseudo-wilderness, etc. Whatever the name, the purpose is to protect the wild character of the land without imposing the rigorous management restrictions inherent in the formal designation as Wilderness. Such a classification would also permit the withdrawal from development of certain lands that otherwise might not receive such protection because they do not qualify in terms of quality, uniqueness or location for classification as Wilderness.

6. We find that the current Forest Service planning process in Region One is both legitimate and effective. The process still suffers from some major weaknesses. It is still too time consuming and

cumbersome. The planners are still handicapped by the lack of adequate and reliable data. The process does appear, however, to meet the final test: reasonable and defensible decisions. In cases where final land use decisions have already been published, we found ourselves in general agreement with the Forest Service after we completed our investigation. Even in the cases where we could not support the specific decision, we could understand the logic and the rationale of the Forest Service plan. In some cases where Forest Service plans have not been published, we made independent judgments based on our own investigations and then discovered that these were invariably consistent with unpublished or tentative plans already made by the Forest Service. Since the Forest Service planning process does appear to be working, it would seem unwise or at least unnecessary to interfere with legislation like S.393. It would seem more desirable for Congress and public interest groups to expend their energies in trying to assist the Forest Service in doing an even better job of planning. This could be done by helping the Forest Service obtain the resources that it needs to do an effective job, and by direct involvement in the planning process by providing advice, counsel, and information to the Forest Service and by serving as constructive critics and vigilant observers of the process. The Forest Service appears to be willing and anxious to accept legitimate public involvement in the planning process, but it

cannot be expected to do an effective job of planning if the number of constraints and legislative diversions gets much larger.

7. The Chief of the Forest Service should be strongly encouraged to reconsider the Monument Peak area on the Gallatin National Forest as a candidate area for study as potential Wilderness. This area was recommended for candidate status by the Gallatin National Forest during the R.A.R.E. process, but was not selected by the Chief. In our opinion, the area has unique high quality as Wilderness and it should be protected from all encroachments pending a decision on its suitability for inclusion in the Wilderness System. Furthermore, the boundaries of the area should probably be expanded beyond those originally identified in the roadless area inventory. For example, the boundary on the west side of the proposed study area should be on the ridge top to the west of Sage Creek rather than the creek itself. However, wherever the boundaries are established, we firmly believe that the Monument Peak area should be set aside for study as a potential Wilderness area. It should also be noted that the Chief of the Forest Service has already selected the Taylor-Hilgard area and the Hyalite area for study as potential Wilderness. These two choices are to be commended, but we feel that the Monument Peak area should also have been selected.

8. Except for the Monument Peak area, and the areas already selected by the Chief by means of the R.A.R.E. process, we do not consider it necessary to withdraw the areas specified in S.393 for study as potential "Wilderness." Therefore, we would not endorse S.393. This recommendation is heavily dependent on the assumption that the Forest Service will recognize that major portions of these areas should not be roaded or otherwise developed, and that they will take formal steps to reassure conservationists that decisions made today will not be reversed tomorrow.

9. Special mention must be made of the proposed Moose Creek Timber Sale in the Sapphire area of the Bitterroot National Forest.

The Intermountain Lumber Company was the successful bidder on a timber sale in this area, but the sale has not been consummated pending the outcome of an appeal by conservationists. The appeal is now being considered by the Secretary of Agriculture. With considerable trepidation, because we are aware that our findings will be unpopular with our friends in the conservation movement, we have concluded that the Forest Service made a rational decision when it advertised and sold these tracts of timber. The timber is of high quality, and we believe that it can be logged without serious environmental impact. The cutting areas will not be visible from the high lake country to the west. There should be no trouble in securing quick and adequate regeneration.

Adequate precautions have been taken to protect wildlife and soil values, and the proposed road seems well-designed. The road through the Moose Creek canyon may be considered esthetically undesirable by some people, but this alone should not be grounds for aborting the sale.

If the road is a primary objection, access to the timber sale can be provided from the east. The fear on the part of conservationists that this Moose Creek sale will lead to extensive logging in the surrounding drainages seems unfounded. The Forest Service has already concluded that it would be undesirable to build an extensive road system in the area, and has declared its intentions to classify most of the area for non-development. Only a small amount of additional timber is likely to be harvested. On the assumption that the Forest Service can be trusted not to significantly expand the development of this area, and in the belief that the Forest Service will be closely watched to insure that this is the case, we can find no serious objection to allowing the timber sale to proceed.

10. Nothing in this report should be construed to mean that the School of Forestry at the University of Montana has changed its views about forest management in the Northern Rockies. We are firmly committed to the belief that on many forests in our region, the non-timber values (wildlife, watershed, recreation and esthetics, etc.) far exceed the timber values. In such cases the only rational kind of

timber management is that which provides absolute protection for the other values. We are also firm in our belief that timber growing investments should be concentrated on the most productive sites. The converse of this is also true, i.e. if we intend to harvest and produce timber on poor sites, we must keep the investment level to an absolute minimum. Talk of intensive management on poor sites strikes us as irrational. On the other hand, intensive management on good sites is not only rational, it is the only feasible way of solving the two-headed problem of increasing timber supply while protecting the natural amenities provided by our forests. We also remain seriously concerned about the quality of management on the public lands in Montana. However, this lack of quality does not reflect on the ability or the level of effort put forth by the people that staff the land management agencies. The problems derive almost entirely from the lack of adequate resources to do an effective job, the lack of adequate information on which to base sound decisions, and the lack of explicit direction from policy makers and legislators. We also retain an abiding commitment to the multiple use philosophy of land management on public lands. Implementation of this philosophy requires sophisticated land use planning, and this implies a willingness to accept compromises and trade-offs. No single user group can have everything it wants.

The Montana Wilderness Association

Route 1, Box 1410
Hamilton, Montana 59840

14 October 1975

The Honorable Lee Metcalf
Senator from Montana
1121 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Metcalf:

The Montana Wilderness Association commends your efforts to obtain an impartial evaluation of the timber resource in the nine areas included in SB393. Dean Wambach's report should remove that particular roadblock from the path of SB393 through the legislative process. We regret that the evaluation could not have been carried further to bring out the importance of the existing tree cover to wildlife habitat and watershed, but the main part of the controversy has been eliminated by this report.

Worrisome, however, is Dean Wambach's decision to extend his report to a subjective evaluation of the wilderness qualifications of the areas. His opinion, as Dean of the School of Forestry, carries much weight, as it should in the fields of his expertise; but in the case of wilderness judgments, we are in a subjective process, which demands, in this instance, that more than one or two individuals be involved in final judgment.

SB393 is an expression of the will of the people. The people have been forced into this route in times past, as in the controversies over the Magruder Corridor and the Scapegoat Wilderness. Currently, the Great Bear and the Wild and Scenic Missouri River bills come to mind as examples of need for action via the legislative rather than the agency route. In none of these cases have we had any other recourse. (Now, to be sure, we have an administrative bill for the Missouri, but that was slow in coming and seems to have been forced by direct action on your part.)

No one denies Dean Wambach his right to personal observations on these areas, but we have other informed opinions that must

MMA comment on Wambach report, page 2.

also be considered. As an example, there is that of Bud Moore, who wrote such a persuasive in-depth evaluation of the wilderness qualities of the Sapphire area. Dr. Clyde Eriksen, who is intimately acquainted with the West pioneers, has prepared a highly professional analysis of their resources, and he affirms the wilderness potential of the area. Hap Kramlich, a logger, went to Washington, D.C., to support, publicly, protected status for the Snowies. And as you know, many others have written, over the past two years, in support of one or another of the areas included in SB393.

The race to exploit these areas seemed to begin before the ink on the Wambach report was dry. The Gallatin Forest seems determined to proceed with a sale to Yellowstone line; Montana Power is awaiting the report from Natural Resources Department on their preferred route over the Sapphires via the study area; action begins this week to lay out a timber sale in the South Fork of Skalkaho, which abuts or intrudes into the Sapphire area - this with 21 miles of road and 13 clearcuts of 40 acres each. In short, Dean Wambach's negative attitude seems to be interpreted as license for the Forest Service to proceed at will in areas that the people want to take through the public evaluation procedure. As we see it, it may well be that one or more of the study areas could be better managed as Back Country, but at the moment this has neither legal definition nor standing. The study (SB393) is the only way of getting interim protection.

The Dean's report says, "The Forest Service also is concerned about the precedent that would be set by this bill, i.e., of having Congress directly involved in actions which the agency regards as managerial or operational in nature." I would point out quickly that this in no way represents the first time that legislation has been used to direct the Forest Service. The Wilderness Act, the Multiple Use-Sustained Yield Act, and NEPA are among the best known, but altogether some 140 bills have been enacted, for one reason or another, to guide or direct Forest Service activities. Legislative guidelines are more than ever necessary now, because the Forest Service is under extreme pressure from industry and the Administration to sell

MWA comment on Wambach report, page 3.

the large volumes of timber that were "promised" earlier on the basis of faulty or nonexistent inventories. We are convinced that other values will be sacrificed to "getting out the cut" in the nine study areas unless SB393 is kept alive. No, we cannot agree with Dr. Wambach that the Forest Service will make the best use of the lands in question if freed from further legislative restrictions. We believe the Service needs firm guidelines in order to resist pressures brought on, in part, by earlier mistakes.

In summary, we are appreciative of Dean Wambach's objective report on the timber resource, but we find his analysis of the wilderness values of this area to be subjective and only one opinion that must be weighed against many others. The allocation of lands with only marginal extractable resources but with high value for watershed, wildlife, and recreation should be made through democratic process. SB393 is a reflection of the will of the people, through your elected office, in face of lack of response by the agency. Therefore, we sincerely urge that you support the passage of SB393 with vigor, thus providing the President and the Congress the rightful opportunity to accept or reject, in the light of a broad spectrum of information and judgment, these areas as worthy additions to the National Wilderness Preservation System.

xc: Mansfield
Baucus
Melcher
Judge
Wambach

Very truly yours,



Doris Milner, President
Montana Wilderness Association

WILDERNESS INSTITUTE

November 5, 1975

Senator Lee Metcalf
U. S. Senate
Washington, D.C.

Dear Senator Metcalf:

Thank you for your letter of 10 October acknowledging our assistance to Dean Wambach in his evaluation of the Montana Wilderness Study Act of 1975 (S.393). It was indeed a valuable experience for those involved.

As you know, S.393 has been a source of controversy since its inception. Most of the debate centered around the amount of timber that might be withdrawn from the annual allowable harvest. Claims and counter-claims regarding this potential impact came to light at the hearings in Washington, D.C. during May, 1975. As a result, you requested that the Dean of the School of Forestry perform a "neutral" analysis of these impacts. The Wilderness Institute (WI) aided Dean Wambach by providing maps and files on the areas and by collecting and compiling timber data. While answering your request, the Dean's report expands the scope of the controversy beyond the original timber issue.

The Dean's report is divided into two parts: the "truly objective and technically determined" timber information and the "more subjective" judgments about the wildland resource. Although the Dean's estimate of allowable cut results from a sketchy inventory, it represents the most accurate data currently available. The Dean's statement that timber harvest in the nine areas would probably require government subsidy appears well-founded. While it is true that removal of these areas from the timber base would cause "some hardships and dislocations", the Dean noted that only marginal mills would suffer. It should also be noted that the trend in the timber industry of western Montana has been toward phasing out of such marginal mills regardless of timber supply. Wilderness Institute endorses the Dean's conclusion of low growth potential and minimal impact to local communities.

The Dean's conclusion concerning the wilderness quality of the nine areas is clearly a "matter of judgment"; it must necessarily be so since major components of the wildland resource are non-quantifiable and evaluation techniques have not been fully developed. Any decision about wilderness quality must be based on thorough study, diverse opinion and extensive dialogue. The study of the wildland resource proposed by S.393 could provide such a forum for participation.



Senator Lee Metcalf
Page 2

S.393 clearly arose because of citizen frustration with the Forest Service planning process. In some cases, no more than lip service has been given to the wildland resource and it receives only cursory consideration in the management unit plans. In other cases, the resource has been fragmented by administrative boundaries imposed during the RARE process. As the Dean points out, "...the Forest Service appears to be willing and anxious to accept legitimate public involvement" and, hence, he feels it would be "unwise or at least unnecessary to interfere with legislation like S.393."

However, the unit planning process is "time consuming and cumbersome". In the several years required for resource inventory, formulation of management alternatives and public response, the wildland resource may be irreversibly altered by timber harvest or other development. All of the areas in S.393 are scheduled for some form of development -- several of the areas will never be given detailed comprehensive wilderness study. S.393 does afford the nine areas a measure of protection until a thorough study of the wildland resource can be made. One acceptable alternative to S.393 would be an immediate administrative moratorium on all non-conforming uses pending comprehensive wildland planning for the nine areas.

This letter is not intended as a criticism of Dean Wambach's analysis. Some of the Dean's conclusions have wide-ranging implications for future forest land management. There is indeed a need for the "intermediate, back-country" classification envisioned by the Dean; but such a classification must result from comprehensive policy guidelines sensitive to the role of the wildland resource in the over-all multiple-use scheme. To date, these guidelines have not been forthcoming. Perhaps one result of your bill would be a renewed look at the need for other classification of roadless areas. We don't mean to imply by this that all nine areas should be in another classification category; only that each should be studied for its wildland values, with an intermediate category considered as one alternative, along with Wilderness. Perhaps modification of your bill could anticipate such study and modification of some language in it would make it more palatable to concerned interests.

In summary, Wilderness Institute applauds the Dean's efforts in addressing this complex issue. Your introduction of S.393 has focused attention on the allocation of our remaining wildlands. The Dean's analysis adds a new dimension to the discussion. His opinions clearly represent the product of long deliberation. We hope they receive full consideration during the Wilderness study process proposed by S.393.

Sincerely yours,

Robert R. Ream
Robert R. Ream, Director

WS

cc: Senator Mike Mansfield
Governor Thomas Judge
Representative Max Baucus
Dr. Robert Wambach